

**SUPREME COURT MINUTES
MONDAY, OCTOBER 6, 2008
SAN FRANCISCO, CALIFORNIA**

S033149

**PEOPLE v. WEAVER
(LATWON REGENIAL)**

Extension of time granted

Good cause appearing, and based upon counsel James S. Thomson's representation that he anticipates filing the appellant's reply brief by September 10, 2009, counsel's request for an extension of time in which to file that brief is granted to December 8, 2008. After that date, only four further extensions totaling about 270 additional days will be granted.

S033901

**PEOPLE v. THOMPSON
(CATHERINE)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Gail R. Weinheimer's representation that she anticipates filing the appellant's reply brief by April 2009, counsel's request for an extension of time in which to file that brief is granted to December 5, 2008. After that date, only two further extensions totaling about 120 additional days are contemplated.

S044592

**PEOPLE v. HOMICK
(STEVEN)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Victoria B. Wilson's representation that she anticipates filing the respondent's brief by December 31, 2009, counsel's request for an extension of time in which to file that brief is granted to December 5, 2008. After that date, only seven further extensions totaling about 390 additional days are contemplated.

S052210

**PEOPLE v. RODRIGUEZ, JR.,
(JERRY)**

Extension of time granted

Good cause appearing, and based upon counsel Katherine Alfieri's representation that she anticipates filing the appellant's opening brief by June 2009, counsel's request for an extension of

time in which to file that brief is granted to December 1, 2008. After that date, only three further extensions totaling about 180 additional days are contemplated.

S057156

PEOPLE v. CASE (CHARLES EDWARD)

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Robin Kallman's representation that she anticipates filing the appellant's opening brief by December 2009, counsel's request for an extension of time in which to file that brief is granted to December 2, 2008. After that date, only six further extensions totaling about 360 additional days are contemplated.

S062417

PEOPLE v. SILVERIA (DANIEL TODD) & TRAVIS (JOHN RAYMOND)

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that he anticipates filing appellant John Raymond Travis's opening brief by mid-2009, counsel's request for an extension of time in which to file that brief is granted to December 8, 2008. After that date, only three further extensions totaling about 180 additional days are contemplated.

S062417

PEOPLE v. SILVERIA (DANIEL TODD) & TRAVIS (JOHN RAYMOND)

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender John Fresquez's representation that he anticipates filing appellant Daniel Todd Silveria's opening brief by December 2009, counsel's request for an extension of time in which to file that brief is granted to December 8, 2008. After that date, only six further extensions totaling about 360 additional days are contemplated

S076169

PEOPLE v. PARKER (GERALD)

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Holly D. Wilken's representation that she anticipates filing the respondent's brief by June 3, 2009, counsel's request for an extension of time in which to file that brief is granted to December 5, 2008. After that date, only three further extensions totaling about 180 additional days are contemplated.

S082101**PEOPLE v. RHOADES
(ROBERT BOYD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 2, 2008.

S082915**PEOPLE v. EUBANKS
(SUSAN DIANE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Meagan J. Beale's representation that she anticipates filing the respondent's brief by October 15, 2008, counsel's request for an extension of time in which to file that brief is granted to October 15, 2008. After that date, no further extension is contemplated.

S086578**PEOPLE v. LOOT
(KENDRICK) & MILLSAP
(BRUCE)**

Extension of time granted

On application of appellant Bruce Millsap and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 1, 2008.

S087533**PEOPLE v. POPS (ASWAD) &
WILSON (BYRON)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing appellant Byron Wilson's opening brief by May 9, 2009, counsel's request for an extension of time in which to file that brief is granted to December 8, 2008. After that date, only three further extensions totaling about 150 additional days are contemplated.

S096809**PEOPLE v. POYNTON
(RICHARD JAMES)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 1, 2008.

S100735**PEOPLE v. LANDRY
(DANIEL GARY)**

Extension of time granted

Good cause appearing, and based upon counsel Donald R. Tickle's representation that he anticipates filing the appellant's opening brief by January 2009, counsel's request for an extension of time in which to file that brief is granted to December 2, 2008. After that date, only one further extension totaling about 30 additional days is contemplated.

S103358**PEOPLE v. BARRERA
(MARCO ESQUIVEL)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Ellen J. Eggers's representation that she anticipates filing the appellant's opening brief by April 2010, counsel's request for an extension of time in which to file that brief is granted to December 8, 2008. After that date, only eight further extensions totaling about 480 additional days are contemplated.

S111336**FIGUEROA (VICENTE
BENAVIDES) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Kelly E. Lebel's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by August 5, 2009, counsel's request for an extension of time in which to file that document is granted to December 3, 2008. After that date, only four further extensions totaling about 240 additional days are contemplated.

S113280**PEOPLE v. RUIZ (ALBERT)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 5, 2008.

S157917**DAVIS (RICHARD ALLEN)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Phillip H. Cherney's representation that he anticipates filing the reply to informal response by February 2, 2009, counsel's request for an

extension of time in which to file that document is granted to December 2, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S158073

**COWAN (ROBERT WESLEY)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Mark Goldrosen's representation that he anticipates filing the reply to informal response to the petition for writ of habeas corpus by October 27, 2008, counsel's request for an extension of time in which to file that document is granted to October 27, 2008. After that date, no further extension will be granted.

S158528

C044703 Third Appellate District

(PAUL

PEOPLE v. ROBINSON

EUGENE)

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 29, 2008.

S159410

E040848 Fourth Appellate District, Div. 2

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 26, 2008. No further extensions are contemplated.

PEOPLE v. COBB, JR., (ROY)

S160930

C051564 Third Appellate District

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 24, 2008.

POPE (NATHAN) ON H.C.

S162818

**MUNSON (KENNETH) v. DEL
TACO, INC.**

Extension of time granted

On application of Del Taco, Inc., and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to November 6, 2008.

S166733 D053468 Fourth Appellate District, Div. 1**OTAY RIVER
CONSTRUCTORS v. S.C.
(SOUTH BAY EXPRESSWAY,
L.P.)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to October 13, 2008.

S029843**PEOPLE v. BECK (JAMES
DAVID) & CRUZ (GERALD
DEAN)**

Order filed

Respondent's "Motion for Leave to File Oversized Brief" is granted.

S055501**PEOPLE v. BUTLER
(RAYMOND OSCAR)**

Order filed

Due to clerical error, the order filed in the above matter on September 19, 2008, is amended to read as follows:

Respondent's "Application and Declaration for Leave to File Oversized Supplemental Respondent's Brief" is granted.

S138625**KENNEDY (JERRY NOBLE)
ON H.C.**

Order filed

Due to clerical error the order issued September 24, 2008, granting an extension of time to file the informal response to the petition for writ of habeas corpus was entitled JERRY NOBEL KENNEDY, Petitioner; the corrected title as of this date is noted above.

Good cause appearing, and based upon Deputy Attorney General Janis Shank McLean's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by January 31, 2009, counsel's request for an extension of time in which to file that document is granted to December 1, 2008. After that date, only one further extensions totaling about 60 additional days is contemplated.

S163888 A109300/A111450 First Appellate District, Div. 5 **HARVEY (MARIETTA) v. SYBASE, INC.**

Order filed

The order filed on September 10, 2008, dismissing review in the above-entitled matter is amended to include the additional Court of Appeal number reflected above.

S165225 B203329 Second Appellate District, Div. 6 **PEOPLE v. COULTER (JACK HENRY)**

Order filed

The order filed on September 24, 2008, denying the petition for review is amended to reflect the title above.

S165975 B207638 Second Appellate District, Div. 6 **CALMAT CO. DBA VULCAN MATERIALS COMPANY, INC. v. S.C. (JACKSON)**

Order filed

The order filed on September 17, 2008, denying the petition for review is amended to reflect the title above.

S166209 D051960 Fourth Appellate District, Div. 1 **VOLPE (ERICA K.) v. S.C. (PEOPLE)**

Order filed

The order filed on September 10, 2008, denying the request for publication is amended to reflect the title above.

E046347 Fourth Appellate District, Div. 2 **PEOPLE v. COTTON (CHARLES)**

The time for granting review on the court's own motion is hereby extended to November 4, 2008. (Cal. Rules of Rule, rule 8.512(c).)

H033271 Sixth Appellate District **DOE (JOHN) v. MARIST SOCIETY, INC.**

The above-entitled matter, now pending in the Court of Appeal, Sixth Appellate District, is transferred to the Court of Appeal, Second Appellate District.